

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

June 6, 2016 Meeting Minutes

4:00 p.m., Public Hearing Room, DEP, Trenton

Board Members:

Present

Jorge Berkowitz
Philip Brilliant
Lawra Dodge
Joseph Fallon
Joann Held
Jeffrey Hoffman
Mark Pedersen
Peter Strom
Constantine Tsentas
Ira Whitman

Absent

Christopher Motta
Kathi Stetser

Others Present:

Board Executive Director Janine MacGregor
Board Staff Dana Haymes
DAG Kimberly Hahn

Proceedings:

- **Meeting called to Order at 4:04 PM by Chairman Pedersen**
- **Roll Call**
- **Approval of the Minutes**

Minutes of May 16, 2016

Motion to approve the minutes by Philip Brilliant.

Motion seconded by Connie Tsentas.

All present voted yes. The motion was carried.

- **Chairman's Report:**

Chairman Pedersen noted that there was a press release with respect to the RI extension. There was about 85% compliance. A few parties did not make the deadline. The goal was to speed up cleanups and particularly to make sure that cleanups began for cases that had languished in the RI phase for many years.

- **Executive Director's Report:**

Janine MacGregor noted that she has received some comments from Board Members for suggested changes to SRRA. She would like all suggestions by close of business tomorrow. She will consolidate what she has, and will make sure to contact those who gave her information to make sure she represents it correctly. She will work with Joann Held to determine what is statutory and what is regulatory, and will also coordinate with the Department on Department suggestions. Suggestions will be ranked by priority, to ensure that the most crucial suggestions receive the most attention.

- **Report of the Professional Conduct Committee: Jorge Berkowitz**

Jorge Berkowitz made a motion to move to Closed Session to discuss Complaint 008-2014.

Joann Held seconded the motion.

All present voted yes. The motion was carried.

Closed session commenced at 4:15 PM. Closed session ended at 5:30 PM.

Motion by Jorge Berkowitz to find the subject of Complaint 008-2014 in violation of the following provisions of the Site Remediation Reform Act, and assess a \$10,000 penalty as follows:

N.J.S.A. 58:10C-16a - \$5000
N.J.S.A. 58:10C-16c – \$3000
N.J.S.A. 58:10C-16i and 16b - \$2000

Lawra Dodge seconded the motion.

Roll Call Vote:

Jorge Berkowitz: Yes

Philip Brilliant: No
Lawra Dodge: Yes
Joseph Fallon: Yes
Joann Held: Yes
Jeffrey Hoffman: Yes
Christopher Motta: Absent
Kathi Stetser: Absent
Peter Strom: Yes
Connie Tsentas: Yes
Ira Whitman: No
Mark Pedersen: Yes

The Motion was carried.

- **Report of the Audit Committee: Philip Brilliant**

No audits were completed, and 5 new auditees selected for June. The audit committee is seeing RAOs issued without fees being paid and will discuss ways to address this.

- **Report of the Continuing Education Committee: Lawra Dodge**

Motion by Lawra Dodge to approve the following 14 applications for approval of CECs.

1. Application of AEG-New York/Philadelphia to approve CECs for “Retaining Data Quality” – Committee recommends approval of 1 Technical CEC
2. Application of LSRPA to approve CECs for “February 11, 2016 Regulatory Roundtable” – Committee recommends approval of 2 Regulatory CECs
3. Application of LSRPA to approve CECs for “March 31, 2016 Regulatory Roundtable” – Committee recommends approval of 2 Regulatory CECs
4. Application of the Redevelopment Institute to approve CECs for “Green and Sustainable Remediation” – Committee recommends approval of 1 Technical and 1 Regulatory CEC

5. Application of AEG – New York/Philadelphia to approve CECs for “Development of Unmanned Vehicles” – Committee recommends approval of 1 Technical CEC
6. Application of Environmental Workshops, LLC to approve CECs for “Remediation Workshop – Baltimore” – Committee recommends approval of 4 Technical CECs
7. Application of Environmental Workshops, LLC to approve CECs for “Remediation Workshop – Edison” – Committee recommends approval of 4 Technical CECs
8. Application of Environmental Workshops, LLC to approve CECs for “Remediation Workshop – Philadelphia” – Committee recommends approval of 4 Technical CECs
9. Application of GEI Consultants, Inc. to approve CECs for “Coastal Resiliency” – Committee recommends approval of 1 Technical CEC
10. Application of Integral Consulting, Inc. to approve CECs for “Emerging Contaminants in the Environment” - Committee recommends approval of 1 Technical CEC
11. Application of LSRPA to approve CECs for “April 12, 2016 Regulatory Roundtable – Committee recommends approval of 2 Regulatory CECs
12. Application of NJDEP – SRWMP to approve CECs for “Catastrophic Events” – Committee recommends approval of 2 Technical CECs
13. Application of LSRPA for approve CECs for “Converting Contaminated Properties into Assets” – Committee recommends approval of 2 Regulatory CECs
14. Application of Montclair State University – CEEP to approve CECs for “Effective Use of Compliance Averaging” – Committee recommends approval of 2 Regulatory and 4 Technical CECs

Motion was seconded by Joann Held.

Roll Call Vote:

Jorge Berkowitz: Yes to all, except abstained with respect to “Effective Use Compliance Averaging”

Philip Brilliant: Yes to all, except “No” to “Catastrophic Events” and abstained with respect to “Effective Use of Compliance Averaging”

Lawra Dodge: Yes to all

Joseph Fallon: Yes to all

Joann Held: Yes to all

Jeffrey Hoffman: Yes to all

Christopher Motta: Absent

Kathi Stetser: Absent

Peter Strom: Yes to all

Connie Tsentas: Yes to all, except “No” to “Retaining Data Quality” and “No” to “Development of Unmanned Vehicles”

Ira Whitman: Yes to all

Mark Pedersen: Yes to all

The Motion was carried with respect to all applications.

- **Report of the Finance Committee: Joseph Fallon**

Joe requesting that Chairs send him information regarding unusual expenses by June 30.

- **Report of the Licensure Committee: Ira Whitman**

Exam contract is expected, if all goes as planned, by early September. Committee still requests DEP start the extension process (preferably one-year) in case of unanticipated delays. IT Request for Proposal is under review for approval by the Office of Information Technology before it is submitted to Treasury.

- **Report of the Outreach Committee: Christopher Motta**

No report.

- **Ongoing Business:**

Joann Held reported that both the Discharge Notification and the Board Reassessment Committees have been meeting and have begun to draft documents.

- **New Business:**

Jorge Berkowitz reported that the Professional Conduct Committee is seeing instances of LSRPs working outside their area of expertise and feels they must be reminded of their responsibility to rely on other experts. He reported that more substantive issues are being raised to the Committee.

Phil Brilliant reported he saw a play based on the “Dirty Little Secrets” articles, and it presented many inaccuracies.

- **June 20, 2016 Meeting:**

The Board discussed the need for a June 20, 2016 meeting and voted to cancel the previously scheduled meeting.

- **Public Comments:**

No Comments.